

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                     |   |              |
|---------------------|---|--------------|
| NENNET AKAY SESCEY, | : |              |
| <i>Plaintiff,</i>   | : |              |
|                     | : | CIVIL ACTION |
| v.                  | : | NO. 21- 3355 |
|                     | : |              |
| WALMART, ONN UNIT,  | : |              |
| <i>Defendant.</i>   | : |              |

**ORDER**

AND NOW, this 19th day of November, 2021, upon consideration of Plaintiff Nennet Akay Sescey's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 7), and *pro se* Complaint (ECF No. 1), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. For the reasons stated in the Court's Memorandum, the Complaint is **DISMISSED** as follows:
  - a. Sescey's federal claims are **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and
  - b. Sescey's state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, and she may pursue those claims in the appropriate state court.
4. The Clerk of Court is **DIRECTED** to **CLOSE** this matter.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.